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Critical Moments as "Change" in Negotiation

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It seems that one of the biggest challenges a negotiator faces is disentangling what is happening while negotiations are ongoing: how does one make sense of the underlying logic of interaction while staying aware of the microprocesses that comprise the emerging whole? How can we be scientific observers of events and still be competent practitioners who shape those same events? The three articles in this section begin to address this question. Each author, in his or her own way, frames the need for such a dual awareness and offers various strategies or moves that serve as resources to guide negotiations in constructive directions.

As I read these works by John Forester, Deborah Kolb, and Harborne "Gus" Stuart, I reflected upon a few common themes and similarities. What first struck me is the hopeful tone each takes. All three involve the structure of surprise within a negotiation context as a potentially positive event. All are concerned with introducing novelty when parties might be searching for control or predictive outcomes. This is no naive hope, however. Each of these works clearly demonstrates that it is a complex endeavor to attend to routines and patterns, to notice the logic of positions, and to stay embedded as a committed participant who intervenes in a way that generates new possible interpretations and moves. In the scenarios described in these articles, small actions can have large consequences.

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The second theme concerns critical moments as retrospective versus prospective events. In the previous articles in this issue, we have discussed the retrospective nature of critical moments. Many hold that it might not be possible to know a critical moment until it has passed: we can only make sense of critical moments in retrospect, after having taken consequential events into account. However, Forester, Kolb, and Stuart offer a prospective tone. The actions and moves proposed in their articles — humor, irony, restorative turns, and uncertain positions — all have a future thrust. These are attempts to push forward, to shape an interaction with the hope of creating a critical moment, rather than only making sense backward.

The third theme I notice in these articles is the requirement of intuitive skill on the part of negotiators who must fashion ironic, humorous, reframing, or surprising interventions. I'm reminded of Karl Weick's (1995) notion that intuition is compressed expertise: skilled practitioners, through repeated practice, anticipate and notice patterns quickly, extrapolate themes and glean order based on relatively small amounts of data. Intuitive skill involves distinguishing sudden glimpses that become worthy of attention rather than suspicion.

The authors envision negotiators who are able to hold multiple possible pathways simultaneously and not become overwhelmed and frozen. If there is a danger of emotional flooding — becoming overwhelmed and anxious in uncertain or ambiguous situations and complex negotiations — then surely there is a danger of cognitive flooding as well. Intuitive glimpses of patterns offset cognitive flooding. John Forester and Deborah Kolb each offer complex alternatives that negotiators face, alternatives that could flood or overwhelm; each assumes that a skilled negotiator must (quickly) notice a pattern or routine and then offer an alternative that defies the next expected move and changes the direction of interaction as well as possible positions of interlocutors. In John Forester's practitioner stories, for example, the negotiator must have had frequent interactions with bureaucrats operating from frozen positions that allowed him/her to intuitively form a picture of this type of persona, and then provided the groundwork for the use of humor as an intervention skill.

The articles in this section offer an esthetic (and pragmatic) vocabulary that defies conventional logic — a vocabulary of paradox, wit, irony, and play. These are intuitive skills and it is no accident that these are the skills (wit and irony) that T.S. Eliot (1932) claimed distinguish a great poet. In fact, some of the vignettes demonstrate that negotiator interventions are indeed artful accomplishments. Critical moments in negotiation are, after all, achievements of the imagination.

John Forester's article, "Responding to Critical Moments with Humor, Recognition, and Hope," offers a picture of negotiators as intuitively skilled, but whose interventions are, in fact, counterintuitive. Imagine teaching a novice about the skills required for negotiating based on the findings in

Forester's article: "In situations of inequality, complexity, bureaucratic entanglements, racism, pain and suffering, history of humiliation, it's good to begin by saying something funny." Nevertheless, the irony here is that perhaps such a humorous comment is healing. Humor and laughter are equalizers. Humor is one of the marks of liminal space (Turner 1969); it flattens hierarchies, if only temporarily. It helps diverse parties see their commonality, even if it's only a common predicament. (The word humor comes from the Latin root, "humour" which originally was associated with fluids and referred to the healthy balance of fluids that flow through the body. To be in good humor is to be balanced; people who are out of balance are "ill-humoured.") In Forester's vignettes, humorous interventions restore a sense of balance and in this sense laughter does have a healing quality. When engaged in laughter, the tone of interaction changes and there is often a cathartic release as a sense of balance is restored. It must be noted that achieving such balance is a fragile endeavor, however, as people may become offended. Not everyone may welcome the invitation to drop personas, positions, or status.

There is another reason why humor has the potential to heal strained relations. Humor, as Forester implies, makes us aware of contingencies. This is important when parties in a negotiation are trying to maintain a fixed position. Humor invites us to acknowledge the contingent nature of these pseudofixities. Humor is an invitation for people to break out of roles and positions, to see the folly behind such efforts.

My favorite philosopher of comedy is Henri Bergson. Bergson (1980) noticed that there are theories of tragedy — Aristotle's theory, for example — but few theories of comedy. He wondered, "What makes comedy work?" What makes us laugh, he concluded, is seeing people act like machines. Bergson was a philosopher of vitality. Reacting against deterministic theories that were founded upon mechanistic assumptions, Bergson saw humans as dynamic, vital, evolving, and complex. When people stop acting like fluid, creative beings and start acting like repetitive, rote machines, this becomes an occasion to laugh. People slipping on banana peels, the coyote never catching the roadrunner — these events are funny because of the mindless repetition involved.

Comedy, for Bergson, is about typologies, not individuals. We laugh at Moliere's Miser because he represents a frozen typology, a recognizable "type" of person, a character who responds to situations in predictable, machine-like ways. We laugh at Abbot and Costello's "Who's on First" because the two interlocutors are not listening to one another; they are wooden, mindless, and repetitive. So, when negotiators see parties enacting repetitive repertoires within narrow professionalized roles, these are occasions that invite humor and invite all of us to notice the contingencies and myriad possibilities open to those who are frozen in roles and have their feet nailed to the floor. In this sense, humor is a serious matter —

a potentially morally instructive intervention that attempts to interrupt mindless patterns and restore the dynamic vitality (and unpredictability) of human relatedness.

Critical moments require ironic awareness; an openness to possible new scenarios for mutual inquiry. Forester's article, in the tradition of Mikahl Bakthin's carnival (1965) and Victor Turner's antistructure (1969), proposed that wit and irony level power differences and make the actors aware that what appeared as fixed is no longer so.

Gus Stuart's article on game theory is irony par excellence. Gus uses the utilitarian logic of game theory to undercut its own rationale. Game theory posits that players anticipate the reasoning of opponents and approximate next moves. The recommended strategy follows a "tit-for-tat" rationale — it is best to start with a cooperative move and then replicate whatever the other party does on succeeding moves. Working from a rationalist, economic paradigm — the logic of cooperation as transaction, as mediating calculation of interests; Robert Axelrod's work provides an empirical rationale for choosing cooperative strategies as a way to realize one's preset goals. There is an assumption in game theory that everyone thinks the same way and that free agents try to maximize gains and win. Stuart starts from this premise and then demonstrates that in spite of the effort of game theorists to predict relational moves, there is always "$n + 1$," an alternative move. In spite of all rational analysis, the other party just might surprise you and try something else. I think that this is a courageous paper, because in the final analysis, Stuart uses such a widely accepted economic paradigm to contradict itself.

Deborah Kolb's article, "Staying in the Game or Changing It: An Analysis of Moves and Turns in Negotiation," has a strange connection to Stuart's piece. Kolb relies heavily on Erving Goffman (1981) and the notion of moves and turns. Goffman originally called himself a game theorist — little did he know how that title would emerge among economists a few decades later. Kolb's discussion of positioning and turns is congruent with Goffman's notion of face work. Unlike Goffman, she proposes that there is a shadow negotiation that continually runs parallel to the outer negotiation.

In Kolb's world, identity is up for grabs and at risk. This is a world of legitimacy and credibility and positioning: negotiators frequently face challenges to their competence. The negotiator needs to anticipate demeaning ideas, criticism of style, threats, and appeals for flattery and sympathy. These are all power moves, so the negotiator must be armed with countermoves in order to restore credibility. Restorative turns and participative turns are some of the resources available. Negotiators, especially novices, must welcome these resources: in the uncertain and unpredictable morass of negotiated power moves, it is important to have repertoires that allow one to recover and restore face.

One benefit, I would imagine, for Kolb's students is building self-confidence. Negotiators continually find themselves thrown in over their heads, out on a limb, needing to take risks without guarantee that their actions will be helpful or constructive. Without a sense of self-confidence, it is unlikely that negotiators will be armed adequately and they might hesitate to experiment, to follow intuitive glimpses, or to attempt novel interventions that might positively alter the flow of interaction. Negotiator's self-confidence might be a crucial antecedent to critical moments and Kolb's repertoires of possible moves, even if such moves are never deployed, provide a reservoir of strength that allows negotiators to risk looking foolish, knowing that they have ways to recover.

Linking Stuart's game theory framework with Kolb's concepts raises some interesting questions. If we assume that negotiators live in a world in which game theory is operative, that players anticipate the opponents' reasoning and approximate their next moves, then their anticipation of the opponents' mind-set is an important antecedent to any potential critical moment. Player A's move is dependent on what player A thinks of player B's reasoning. The best strategy, according to studies, is the "tit-for-tat" strategy, that is, replicate your opponent's last move.

I wonder what would happen if players in such a game followed the schema that Deborah Kolb has laid out. Imagine what would happen if player A anticipates player B's gestures in the way that Kolb outlines: player A would anticipate and notice threats, criticism of style, demeaning gestures. If the players were operating on a "tit-for-tat" logic, then this could quickly lead to a self-fulfilling downward spiral. Player A would anticipate and interpret player B's gestures as criticism; player B would seek to replicate player A's move, who in kind interprets player B's gestures as criticism or threat. Player A now reads player B's gestures as a mounting threat and vice versa. My moves are dependant on my interpretation of your moves, and if I interpret your moves based on Kolb's categories, then I might be more prone to interpret your gestures as threats and insults, which starts a self-fulfilling cycle of mutual assured destruction (MAD).

It is important that, in our training, we do what Kolb advocates — prepare for legitimacy threats, demeaning criticism, and other such moves to undermine our position within the negotiation. But perhaps we also need a vocabulary that encompasses a more generative and hopeful view of gestures; a positive vocabulary to accompany the important terms in Kolb's warnings; a vocabulary and a repertoire of moves that primes negotiators to interpret gestures as helpful, hopeful, generative, reaching for higher meaning. These resources would also help build self-confidence, and if players are operating according to the "game theory" logic in the tradition of Gus' article, then we might expect critical moments that trigger virtuous cycles (Party A interprets party B's gesture as reaching for higher meaning,

which triggers party A to offer a similar gesture, and so on). There may be a self-fulfilling benefit in over-interpreting utterances as positive and constructive gestures.

Conclusion

When parties are locked in conflict, there are a number of familiar narratives and rhetorical moves they tend to employ:

- They see themselves as acting virtuously to defend a higher good; they describe themselves as locked in opposition to another perspective.
- They are unlikely to articulate the position of the opposition in a way that the other side would accept.
- They often have a large interpretive repertoire to describe what is wrong with the other party.
- Their vision of resolution of the conflict involves capitulation or elimination of the other group.

"Normal" discourse between disputants often amounts to recapitulating the reason and justifications for holding a certain belief. Conflict narratives have a forward thrust in which parties are often making moves that position themselves in the best possible light.

Negotiators are challenged to interrupt the normal, but unproductive, patterns of discourse. The complexity of their task is daunting: they need to listen attentively, develop an intuitive capacity, and quickly grasp meanings and intentions. Negotiators are like jazz musicians; they must be able to improvise, to "read" the contexts and jump in. They struggle with the constraints of established patterns and structures; they strive to listen and respond to what is happening and at the same time, they try to break out of these patterns to do something new with all the risks that any such move entails. The articles in this section "Critical Moments as Change," propose ways that negotiators can interrupt the narrative arc of a negotiation and introduce new directions that depart from the path that is being established. To borrow from the jazz vocabulary, the authors of these articles propose riffs — humor, irony, restorative moves, and so on — as resources that negotiators might draw upon to interrupt normal patterns of discourse and open up new pathways. In that sense, as I said, these are hopeful articles.

The authors see the potential in introducing surprise and enlarging the horizon of possible moves in a generative direction. Not only do these articles offer pragmatic tools for novice and expert negotiators alike; they also suggest that, as researchers, we too need to attend to moments of destabilization — the catalysts that allow parties to share different stories. As researchers, we need to develop a third ear, an openness and wonderment to what unfolds, and sensitivity to the small gestures that can lead to creative breakthroughs.

REFERENCES

Bakthin, M. 1965. *Rabelais and his world.* Cambridge, MA: MIT Press.
Bergson, H. 1980. *Laughter.* Baltimore: Johns Hopkins University Press.
Eliot, T.S. 1932. *Selected essays.* New York: Harcourt Brace.
Goffman, E. 1981. *Forms of talk.* Philadelphia: University of Pennsylvania Press.
Turner, V. 1969. *The ritual process: Structure and anti-structure.* Chicago: Aldine Publishing Co.
Weick, K. 1995. *Sensemaking in organizations.* Thousand Oaks, CA: Sage Publications.